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Attorneys for Defendants

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

DANIEL CHECKMAN, Individually And On
Behalf Of All Others Similarly Situated,

Plaintiff,

v.

ALLEGiant TRAVEL COMPANY,
MAURICE J. GALLAGHER, JR., SCOTT
SHELDON, STEVEN E. HARFST, and JUDE
I. BRICKER,

Defendants.

Case No: 2:18-cv-01758-APG-PAL

**DECLARATION OF COLIN FRASER IN
SUPPORT OF DEFENDANTS' MOTION
TO DISMISS PLAINTIFF'S AMENDED
CLASS ACTION COMPLAINT FOR
VIOLATION OF THE FEDERAL
SECURITIES LAWS**

*[Filed concurrently with: (1) Motion to Dismiss,
(2) Motion to Strike, (3) Request for Judicial
Notice.]*

1 I, Colin Fraser, declare as follows:

2 1. I am an attorney duly licensed to practice law in the State of California and admitted *pro*
3 *hac vice* before this Court. I am an associate with the law firm of Greenberg Traurig, LLP and counsel of
4 record for Defendants Allegiant Travel Company (“Allegiant” or the “Company”), Maurice J. Gallagher,
5 Jr., Scott Sheldon, Steven E. Harfst, and Jude I. Bricker (collectively, the “Defendants”) in the above
6 referenced action.

7 2. I submit this Declaration in support of Defendants’ Motion to Dismiss Plaintiff’s
8 Amended Class Action Complaint for Violation of the Federal Securities Laws (the “Motion to
9 Dismiss”), Defendants Motion to Strike Plaintiff’s Amended Class Action Complaint for Violation of the
10 Federal Securities Laws (the “Motion to Strike”), and Defendants’ Request for Judicial Notice in support
11 of the Motion to Dismiss and Motion to Strike. I have personal knowledge of the matters stated herein
12 and, if called upon to do so, I could and would competently testify thereto.

13 3. Attached hereto as Exhibit 1 is a true and correct copy of Defendant Scott Sheldon’s Form
14 4s, filed with the SEC on June 3, 2015 (showing that Sheldon held 6,812 Allegiant shares as of June 1,
15 2015, near the start of the proposed class period) and May 9, 2018 (showing that Sheldon held 19,278
16 Allegiant shares as of May 7, 2018, near the end of the proposed class period).

17 4. Attached hereto as Exhibit 2 is a true and correct copy of Defendant Jude Bricker’s Form
18 4s, filed with the SEC on April 27, 2018 (showing that Bricker held 6,572 Allegiant shares as of April 24,
19 2015, near the start of the proposed class period) and May 10, 2017 (showing that Bricker held 16,258 as
20 of May 8, 2017, which is the date of the last Form 4 Bricker filed while an officer of Allegiant).

21 5. Attached hereto as Exhibit 3 is a true and correct copy of Defendant Maurice Gallagher’s
22 Form 4s, filed with the SEC on March 11, 2016, January 2, 2018, January 17, 2018, and March 8, 2018,
23 which are the Form 4s filed for each sale by Gallagher alleged in the Amended Complaint.

24 6. Attached hereto as Exhibit 4 is a true and correct copy of the relevant excerpts of
25 Allegiant’s Schedule 14A Proxy Statement, filed with the SEC on May 8, 2015.

26 7. Attached hereto as Exhibit 5 is a true and correct copy of the relevant excerpts of
27 Allegiant’s Schedule 14A Proxy Statement, filed with the SEC on May 12, 2016.
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8. Attached hereto as Exhibit 6 is a true and correct copy of the relevant excerpts of Allegiant's Schedule 14A Proxy Statement, filed with the SEC on May 19, 2017.

9. Attached hereto as Exhibit 7 is a true and correct copy of the relevant excerpts of Allegiant's Schedule 14A Proxy Statement, filed with the SEC on May 17, 2018.

10. Attached hereto as Exhibit 8 is a true and correct copy of the FAA's official letter, signed by Ali Bahrami, Associate Administrator of Aviation Safety at the FAA, and published on the FAA's website under the heading "FAA Response to 60 Minutes Story of April 15, 2018."

11. Attached hereto as Exhibit 9 is a true and correct copy of the historical prices of Allegiant stock for the period April 15, 2018 through April 26, 2018.

12. Attached hereto as Exhibit 10 is a true and correct copy of the Nasdaq report of stock market activity for April 16, 2018.

13. Attached hereto as Exhibit 11 is a true and correct copy of the complete transcript of CBS News' *60 Minutes* broadcast on April 15, 2018.

14. Attached hereto as Exhibit 12 is a true and correct copy of the Amended Complaint with strike-throughs of the portions of the complaint that Defendants seek to have stricken pursuant to the concurrently filed Motion to Strike.

15. Attached hereto as Exhibit 13 is a true and correct copy an article titled "Allegiant plane makes emergency landing at CVG Airport," published by the Fox-affiliated, mid-west television station Fox19 on July 21, 2018.

16. Attached hereto as Exhibit 14 is a true and correct copy of an article titled "Unusual incidents rock Allegiant Air's profitable course," published by the Las Vegas *Review Journal* on August 29, 2015.

I declare under penalty of perjury that the foregoing is true and correct. Executed this 7th day of December, 2018 at Orange County, California.


Colin Fraser